

**COMMISSION ON TECHNOLOGY
e-COURT SUBCOMMITTEE
APPELLATE COURTS SUBTEAM
MEETING SUMMARY**

June 07, 2011
10:00 a.m. – 11:00 a.m.

State Courts Building Room 415

**SUPREME COURT MEMBERS
PRESENT**

Clerk Rachelle Resnick
Staff Attorney Ellen Crowley

**APPEALS DIVISION ONE
MEMBERS PRESENT**

Chief Judge Ann Timmer
Clerk Ruth Willingham
Jeremiah Matthews
Judge Larry Winthrop

**APPEALS DIVISION TWO MEMBERS
PRESENT**

Clerk Jeff Handler*
Chief Judge Joe Howard*

AOC STAFF & GUESTS

Stewart Bruner, *ITD*
Karl Heckart, *ITD*
Jim Price, *ITD*

* indicates appeared via telephone

AZTURBOCOURT STATUS AND SCHEDULE

Division One Clerk Ruth Willingham reported that the monthly volume of AZTurboCourt is now 1560 filings. Issues with the naming of tax cases have been resolved and the flow of documents through C2C is increasing. No further filings are coming to Division One via ACE. Clerk Rachelle Resnick added that the Supreme Court is now receiving a few e-filings each day. ACE is still in use for court reporter transcripts and death penalty case filings, but Maricopa Superior has agreed to the language in the draft administrative order allowing direct submittal of certain case types.

Division One representatives explained their recent request to have access to petitions for review restored. ITD representatives explained that access permissions are “all or nothing” and that confidential staff attorney recommendations would also be viewable if access were restored. ITD representatives understand the problem and are seeking a solution.

Rachelle added that upcoming training classes sponsored by the State Bar will be open to appellate attorneys, though not dedicated to appellate e-filing practices.

“MUST HAVE” APPELLATE AUTOMATION ENHANCEMENTS

Karl Heckart provided an update about the timeline for the “must have” enhancements to be released in production. He explained how enhancements requested by multiple courts are all being released simultaneously and recommended waiting a month or so after the implementation of the new release in August to make a decision about mandatory appellate e-filing. Rachelle mentioned the need for a phase-in period like Maricopa used.

She shared a concern from a recent presentation to appellate lawyers where only one quarter present claimed familiarity with AZTurboCourt. Karl concurred with her observation, stating that e-filings at Maricopa Superior Court Clerk's Office continue to be only about 25% of the expected volume, even one month after the mandatory e-filing date for subsequent filings in civil cases.

The group then discussed the policy about paper courtesy copies. Staff member Stewart Bruner described a "middle ground" approach that would permit voluntary submission of courtesy copies but not allow judges to order them. Consideration is also being given to criteria for requiring courtesy copies in a few situations, since the Bar is now on record supporting the ordering of courtesy copies, at least in Pima County. Members felt that increasing the functionality of hyperlinks and bookmarks for judges would reduce the need for submission of mammoth, complex documents and thereby reduce judges' demand for courtesy copies.

Stewart asked Division One representatives for proposed language regarding the use of tables of contents for appendices in electronic documents discussed in previous meetings. Ellen Crowley will share the language she used in existing petitions for change to various appellate court rules so Stewart can keep the Rule 124 language in synch. Judge Howard stated that Division Two's law clerks routinely add hyperlinks to case documents stored on their system to speed judges' review. Stewart will speak with the OnBase administrators about the process of linking from one document in OnBase to another, but his sense was that security provisions disallowed documents from having exposed URLs.

ACCESS TO CASE DATA AND DOCUMENTS FROM MARICOPA SUPERIOR COURT CLERK'S OFFICE

The AO required to authorize Maricopa Superior Court to directly transmit various types of cases to the Supreme Court, mentioned last meeting, has been verbally approved by representative of the Clerk's Office. Rachelle mentioned a possible test case that is about 40 days from being transmitted, but ITD representatives were not certain the technical details of transmission and ingestion could all be worked out by that time. Rachelle will work with Jim Price.

OBTAINING ELECTRONIC TRANSCRIPTS

Judge Winthrop updated members on the progress of obtaining court reporters' transcripts, especially from official court reporters in Maricopa County. Court Services training has been scheduled for June 22 through 24 while judges are at the judicial conference.

OTHER UPDATES AND ISSUES

- Stewart Bruner informed the group that unemployment insurance management at Dept. of Economic Security has backed away from talking to Division One about transmitting appeals cases electronically. Ruth Willingham offered to demonstrate the C2C program as a less intrusive first step. Stewart will convey that offer to DES representatives. Members want to maintain focus on the records transfer situations with Industrial Commission and Corporation Commission filings into Division One, even though the situations appear less feasible than DES UI. Stewart will contact Corporation Commission again using a contact name supplied by Ruth.

- Stewart raised an issue submitted by Maricopa Superior Court regarding proposed orders having to be submitted in docx or odt format when the court has no software to read those formats. Karl provided a brief overview of the issue with courts failing to remain current on office productivity software. He will speak with John Barrett about the possibility of upgrading judge and judicial assistant PCs with Word 2007 or later software to alleviate the problem.

WRAP UP

No meeting will be held in July. A follow-up meeting will be scheduled in early August to report on progress and resolve any issues.

Meeting adjourned at 10:50 a.m.